



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Laurence Josette MESSE and Barrie James HAYES

Filed: December 3, 2004

For: ACTINIC RADIATION CURABLE COMPOSITIONS
AND THEIR USE

Serial No.: 10/516,978

Group Art Unit: 1711

Examiner: Unknown

Attorney Docket: 128905-1004 (HAM 830006)

Mailing Certificate

Pursuant to 37 C.F.R. 1.8, I certify that this correspondence is being deposited with the United States Postal Service in a first class, postage prepaid, envelope on the date indicated below addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450

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5-31-2006

Date

REQUEST FOR CORRECTED FILING RECEIPT

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

A corrected filing receipt is hereby requested in view of the error which appears in the original.

Please add the following person as an Applicant:

Barrie James Hayes, Eversden, UNITED KINGDOM

A copy of the original filing receipt is attached, with the requested change(s) indicated in blue.

A copy of the Decision in response to Applicant's "Renewed Petition under 37 C.F.R. 1.47(a) filed 04 April 2006 is attached.

Commissioner for Patents
Page 2

The Examiner is invited to contact the undersigned at 281-719-4553 with any questions or comments, or to otherwise facilitate expeditious prosecution of the application.

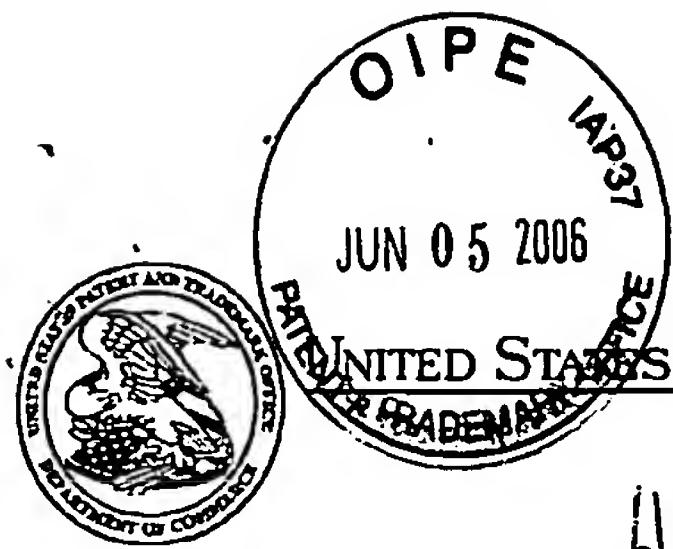
Respectfully submitted,

Robert Holthus

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Registration No. 50,347
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HUNTSMAN CORPORATION
10003 Woodloch Forest Drive
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cc: Eberberg

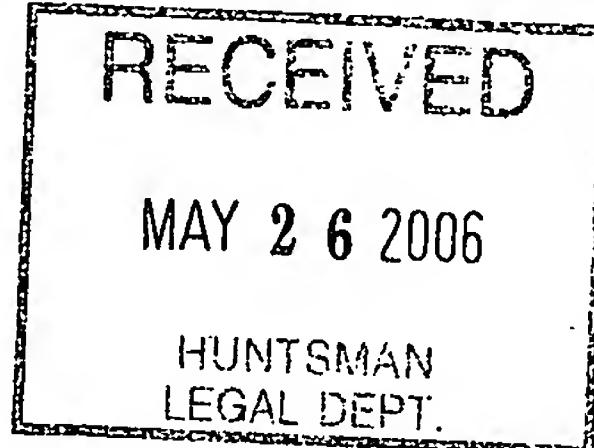


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H A M 830006

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY.DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/516,978	08/22/2005	1711	1216	128905-1004		25	5



CONFIRMATION NO. 6873

FILING RECEIPT



OC000000018874212

Date Mailed: 05/19/2006

Huntsman LLC
Legal Department
10003 Woodloch Forest Drive
The Woodlands, TX 77380

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Laurence Josette Messe, Great Chesterford, UNITED KINGDOM;

Barrie James Hayes, Eversden, UNITED KINGDOM

Power of Attorney:

Robert Holthus--50347

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/GB03/02410 06/04/2003

Foreign Applications

Acceptable Request to Retrieve Priority Application Received?

UNITED KINGDOM 0212977.3 06/06/2002

NO

Projected Publication Date: 08/24/2006

Non-Publication Request: No

Early Publication Request: No

Title

Actinic radiation curable compositions and their use

Preliminary Class

522

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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Title 37, Code of Federal Regulations, 5.11 & 5.15**

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01 MAY 2006

CC: Everberg 5/10/06

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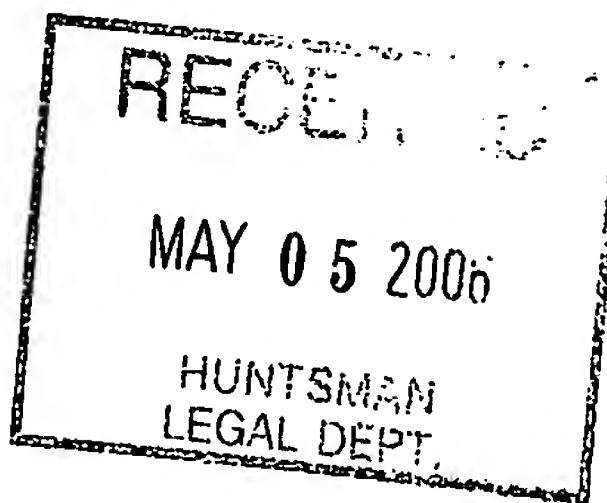
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HAM 830006

Huntsman LLC
Legal Department
10003 Woodloch Forest Drive
The Woodlands, TX 77380

IP MASTER Updated

In re Application of MESSE et al
U.S. Application No.: 10/516,978
PCT Application No.: PCT/GB03/02410
Int. Filing Date: 04 June 2003
Priority Date Claimed: 06 June 2002
Attorney Docket No.: 128905-1004 (HAM 830006)
For: ACTINIC RADIATION CURABLE
COMPOSITIONS AND THEIR USE

DECISION

This is in response to applicant's "Renewed Petition Under 37 C.F.R 1.47(a)" filed 04 April 2006.

BACKGROUND

On 04 June 2003, applicant filed international application PCT/GB03/02410, which claimed priority of an earlier United Kingdom application filed 06 June 2002. A copy of the international application was communicated to the USPTO from the International Bureau on 18 December 2003. The thirty-month period for paying the basic national fee in the United States expired on 06 December 2004.

On 03 December 2004, applicant filed national stage papers in the United States Designated/Elected Office (DO/EO/US). The submission was accompanied by, *inter alia*, the basic national fee required by 35 U.S.C. 371(c)(1).

On 17 June 2005, the DO/EO/US mailed a Notification of Missing Requirements Under 35 U.S.C. 371 (Form PCT/DO/EO/905), which indicated that an oath or declaration in compliance with 37 CFR 1.497 must be filed.

On 22 August 2005, applicant filed a petition under 37 CFR 1.47(a).

On 31 January 2006, this Office mailed a decision dismissing the 22 August 2005 petition.

On 04 April 2006, applicant filed the present renewed petition under 37 CFR 1.47(a).

DISCUSSION

A petition under 37 CFR 1.47(a) must be accompanied by: (1) an oath or declaration by each applicant on his or her own behalf and on behalf of the nonsigning joint inventors, (2) factual proof that the missing joint inventors refuse to join in the application or cannot be reached after diligent effort, (3) the fee set forth in §1.17(i), and (4) the last known addresses of the nonsigning joint inventors.

Applicant has previously satisfied items (1) and (3) above.

With regard to item (2) above, MPEP 409.03(d) states in relevant part,

Where a refusal to sign the application papers is alleged, the circumstances of this refusal must be specified in an affidavit or declaration by the person to whom the refusal was made. Statements by a party not present when an oral refusal is made will not be accepted.

Before a refusal can be alleged, it must be demonstrated that a bona fide attempt was made to present a copy of the application papers (specification, including claims, drawings, and oath or declaration) to the nonsigning inventor for signature. A copy of the application papers should be sent to the last known address of the nonsigning inventor, or, if the nonsigning inventor is represented by counsel, to the address of the nonsigning inventor's attorney.

When there is an express oral refusal, that fact along with the time and place of the refusal must be stated in the affidavit or declaration. When there is an express written refusal, a copy of the document evidencing that refusal must be made part of the affidavit or declaration.

When it is concluded by the 37 CFR 1.47 applicant that a nonsigning inventor's conduct constitutes a refusal, all facts upon which that conclusion is based should be stated in the affidavit or declaration. If there is documentary evidence to support facts alleged in the affidavit or declaration, such evidence should be submitted. Whenever a nonsigning inventor gives a reason for refusing to sign the application oath or declaration, that reason should be stated in the affidavit or declaration.

The petition states that joint inventor Barrie Hayes refuses to sign the application papers. Petitioner has adequately demonstrated that a bona fide attempt was made to present a copy of the application papers to Hayes for signature. In particular, the application papers were delivered to Hayes 16 February 2006 (see affidavit of Sandra Bauwens, ¶7). Furthermore, the petition sufficiently illustrates that Hayes refuses to sign. Specifically, the Bauwens' affidavit states that Hayes made a constructive refusal to sign during a telephone conversation on 21 March 2006 (see Bauwens' affidavit, ¶9). Thus, it can be concluded with reasonable certainty that Hayes refuses to join in the application.

With regard to item (4) above, the petition states the last known address of the nonsigning inventor.

CONCLUSION

For the reasons above, the petition under 37 CFR 1.47(a) is GRANTED.

The application has an International Filing Date under 35 U.S.C. 363 of 04 June 2003, and a date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) of 22 August 2005.

As set forth in 37 CFR 1.47(a), a notice of the filing of this application will be forwarded to the nonsigning inventor at the last known address of record and will be published in the *Official Gazette*.

This application is being forwarded to the United States Designated/Elected Office (DO/EO/US) for further processing in accordance with this decision.

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